

HARBERD et al -- Serial No.: 09/485,529

D' least 80% similarity with the amino acid sequence of the Rht polypeptide of *Triticum Aestivum*,

said polypeptide comprising a contiguous sequence of 17 amino acids in which at least 10 residues show amino acid similarity or identity with the residue in the corresponding position in the amino acid sequence DELLAALGYKVRASDMA.

56. (New) An isolated polynucleotide encoding a polypeptide which complements a Slender mutant in barley and which comprises a contiguous sequence of 17 amino acids in which at least 10 residues show amino acid similarity or identity with the residue in the corresponding position in the amino acid sequence DELLAALGYKVRASDMA.

#### REMARKS

Favorable consideration of this application and entry of the foregoing amendments are respectfully requested.

New claims 55 and 56 have been added. Claim 55 finds support, for example, at page 17, lines 14-17, and at page 18, lines 13-20. Claim 56 finds support, for example, at page 18, lines 9-20.

As regards the requirement for restriction, Applicants request clarification. First, on page 2 of the Action, 5<sup>th</sup>